

REMARKS

Claims 1 – 74 are pending in the application. In the Office Action, the Examiner has withdrawn claims 1 – 39 and 58 – 73 as being directed to non-elected species.

The remaining claims, that is, claims 40 – 57 and 74, have been rejected as being obvious under 35 U.S.C. § 103 over the published application to Gu et al., 2005/0092720. This rejection is traversed inasmuch as Gu does not constitute prior art against the present application.

The earliest date that can be established for Gu is its filing date in December of 2004, whereas the present application was filed on March 31, 2004, some 9 months earlier. Accordingly, Gu is not prior art under any section of 35 U.S.C. § 102. For this reason, the rejections under §103 are improper, and must be withdrawn.

Absent the presence of other relevant art, Applicants submit that the present claims stand in allowable condition, and accordingly reconsideration and allowance are respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln No. 10/813,173

A8699

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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